LAW OF WAR (LOW) TRAINING

Follow-On Training Prepared by:

Judge Advocate Division
International & Operational
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TRAINING OBJECTIVES

- **Define the principles of military necessity; distinction or discrimination; unnecessary suffering or humanity; and proportionality**
- **Understand the protections accorded to civilians; prisoners of war (POWs); wounded and sick in the field and at sea; and medical personnel, units and establishments, and chaplains**
- **Define concepts such as ruses; use of enemy property, treachery and perfidy, assassination; espionage; and reprisals**
- **Understand permissible uses of certain weapons and munitions**
- **Understand reasons and obligations to comply with LOW**
- **Define rules of engagement**

LOW REFERENCES

- **Hague Convention IV of 1907**
- **Geneva Conventions of 1949**
- **DoDD 2311.01E (DoD LOW Program)**
- **SECNAVINST 3301.1C (DoN LOW Program)**
- **MCO 3300.4A (Marine Corps LOW Program)**
- **DoD LOW Working Group**

LOW DEFINED

- **That part of international law that regulates the conduct of armed hostilities**
- **It is often called the “Law of Armed Conflict” or “LOAC”**
- **Encompasses all international law for the conduct of hostilities binding on the United States and its Individual Citizens**
- **Includes treaties and international agreements to which the United States is a party, and applicable customary international law**

Source: DoD Directive 2311.01E, DoD Law of War Program, May 9, 2006

PURPOSE OF THE LOW

- **The LOW is comprised of those basic legal standards of battlefield behavior that:**
  - **Assists commanders and Marines in ensuring the disciplined, lawful, and efficient application of military force IOT accomplish the mission**
  - **Ensures humane treatment for persons who fall into the hands of the enemy, particularly prisoners of war, military wounded, sick, and shipwrecked and civilians**
  - **Protects innocent civilians from unnecessary suffering and limits damage to civilian property**
  - **Encourages the enemy to surrender**
  - **Facilitates the restoration the peace**
  - **Preserves the professionalism, honor, and humanity of Marines**
  - **Maintains domestic and international support for military operations**

LOW APPLICATION

- **DoD policy is that Members of the DoD Components comply with the LOW during all armed conflicts, however such conflicts are characterized, and in all other military operations.**
- **LOW obligations of the United States are observed and enforced by the DoD Components and DoD contractors assigned to or accompanying deployed armed forces**

(Source: DoD Directive 2311.01E, DoD Law of War Program, May 9, 2006)

GENERAL LOW RESPONSIBILITIES

- **Each member of the armed services has an obligation to:**
  - **Carry out his or her assigned duties in accordance with the law of war obligations of the United States**
  - **Take all necessary and appropriate measures to prevent violations of the law of war**
  - **Report any known, alleged or suspected violation of the law of war to appropriate authority for investigation**
  - **Refuse to comply with orders that are patently illegal, in violation of these obligations**

CORE PRINCIPLES OF LOW

CORE PRINCIPLES OF LOW

- **Military Necessity**
- **Unnecessary Suffering**
- **Discrimination/Distinction**
- **Proportionality**

MILITARY NECESSITY

"That principle which justifies those measures
not forbidden by international law which are
indispensable for securing the complete
submission of the enemy as soon as possible."

(ARMY Field Manual 27-10 Law of Land Warfare)

MILITARY NECESSITY

- **Military necessity does not authorize acts otherwise prohibited by the LOW**
- **Military necessity is not a defense for acts expressly prohibited by law**
- **Military necessity is a legal justification for attacks on legitimate military objectives that could result in harm to civilians and civilian objects**

MILITARY OBJECTIVE

"[T]hose objects which by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage."

(Additional Protocol I to the Geneva Conventions, Article 52(2))

MILITARY OBJECTIVE

- **Nature**
  - **Refers to the type of objects that by their nature are military objectives and can be lawfully targeted (e.g., equipment used as military transports, facilities used as command and control centers, or communication stations**
- **Location**
  - **Includes areas that are militarily important because of a need to capture, deny to enemy, or to drive enemy from (e.g., capture an area that would deny enemy access to resupply areas)**

MILITARY OBJECTIVE

- **Purpose**
  - **Means future intended or possible use – such as logistical facilities, safe houses, weapon storage facilities, vehicles and lines of communications**
- **Use**
  - **Means present function – currently being used to support enemy operations (e.g., supply, storage, transport, communication)**

MILITARY OBJECTIVE

- **Examples:**
  - **Military equipment (e.g., vehicles, ships, weapons, munitions, and supplies)**
  - **Military units and bases, whether used for training, billeting, or staging, or offensive or defensive purposes**
  - **National command, control, communications, computers, and intelligence**
  - **Economic objects, to include power sources, communications networks and equipment, and objects associated with industry (i.e., war supporting industries)**
  - **Transportation objects (e.g., highways, railroads, waterways, ports, and airports),**
  - **Geographic areas or features, such as known or suspected enemy avenues of approach or withdrawal**

“RENDULIC RULE”

- **Military commanders’ and military personnel's liability for battlefield acts should be evaluated based on information *reasonably available at the time of decision***

DISTINCTION

- **Each party may only direct the operations of their armed forces against military objectives**
- **Provides civilians immunity from direct attack for so long as they take no part in hostile acts against enemy military forces**
- **Objects used concurrently for civilian and military purposes are liable to attack if there is a clear military advantage to be gained from their seizure or destruction**
- **Intermingling or concurrent use is a factor a military commander and his or her staff must consider in the planning and execution of military operations through the law of war concept of proportionality**

DISTINCTION

- **Obligates each party to a conflict,**
  - **in their use of force and in their conduct of military operations,**
  - **to take reasonable measures to distinguish between military objectives, civilians, and civilian objects,**
  - **in order to minimize injury to individual civilians and the civilian population as such, and to limit damage to civilian objects**

PROPORTIONALITY

The expected incidental death or injury to civilians or damage to civilian property must not *"be excessive in relation to the concrete and direct military advantage anticipated."*

(Additional Protocol I, Article 51(5)(b))

PROPORTIONALITY IN TARGETING

- **Weighing anticipated gains of targeted attack against foreseeable damage consequences for civilian population**
- **Balance of military necessity and unnecessary suffering**
- **Civilians taking a direct part in hostilities are excluded from proportionality targeting calculation**

PROPORTIONALITY IN TARGETING

- **When civilians and civilian objects are not intermingled with military objectives, proportionality does not limit:**
  - **The use of overwhelming firepower on opposing enemy forces in the open to subdue or destroy**
  - **The degree of damage that can be inflicted on purely military targets**
- **When there is intermingling, proportionality recognizes the reality that in war there may be incidental injuries to civilians and civilian objects during lawful military operations**

UNNECESSARY SUFFERING

- **Prohibits the infliction of gratuitous violence on the enemy**
- **Prohibits use of arms calculated to cause unnecessary suffering – examines the weapon design itself**
- **Prohibits use of otherwise lawful arms in a manner that causes unnecessary suffering - examines the way weapon is used**

SPECIAL PROTECTIONS UNDER THE LOW

CATEGORIES OF SPECIAL PROTECTIONS

- **Civilians**
- **Prisoners of War**
- **Wounded and sick in the field and at sea**
- **Medical personnel, medical units and establishments, chaplains**

CIVILIANS

- **A civilian is a person who is not a member of the armed forces of parties to conflict; militia or organized resistance belonging to parties to conflict**
- **A civilian shall not be the object of a direct or intentional attack**
- **Military commanders and personnel must take reasonable steps to separate the civilian population from military objectives**

CIVILIANS: PROTECTED PERSONS

- **Respect for Persons**
- **Respect for Honor**
- **Respect Family Rights**
- **Respect Religion**
- **Respect Customs**
- **No insults or exposure to public curiosity**
- **No rape, forced prostitution**
- **No Human Shields**
- **No physical or moral coercion**
- **No actions causing physical suffering**
- **No pillaging**
- **No collective penalties**
- **No reprisals**
- **No hostages**

DIRECT PARTICIPATION IN HOSTILITIES

- **Civilians are subject to attack when and for such time as they take a direct part in hostilities (DPH) (API art. 51(3))**
- **Three categories of civilians who can be targeted:**
  - **Civilians who DPH (while engaged in DPH)**
  - **Civilians who continuously DPH (always)**
  - **Members of organized armed groups or armed non-state actors who are parties to the conflict**

CIVILIAN OBJECTS

- **All civilian property other than those objects used to support or sustain an enemy State's war-fighting, war-supporting, or war-sustaining capability**
- **Includes those objects that do not have the potential for instantaneous conversion to military use**
- **Civilian objects may not be made the object of intentional attack**
- **If a civilian object becomes a military objective, it ceases to be a civilian object, and may be seized or destroyed**

PRISONERS OF WAR

- **Geneva Convention Relative to the Treatment of Prisoners of War of August 12, 1949 (GPW)**
- **POW status is important because:**
  - **POWs receive combatant immunity for warlike acts**
  - **POWs are entitled to all the rights, privileges, and protections under GPW**

PRISONERS OF WAR

- **POW Status depends on**
  - **Right kind of conflict**
  - **Right kind of person**
- **All Geneva Conventions, to include GPW, apply during International Armed Conflicts between State Parties to Geneva Conventions**
- **Persons entitled to POW status include members of the armed forces of a State Party to the conflict, authorized civilians accompanying its armed forces, and militia forces provided they meet specific criteria**
- **Non-International Armed Conflicts**

PRISONERS OF WAR

- **Humane Treatment**
- **No medical experimentation**
- **Protection from violence, intimidation, insults, public curiosity**
- **Equality of treatment**
- **Free maintenance and medical care**
- **Respect for person and honor**
- **No reprisals**
- **No renunciation of rights or status**
- **ICRC access**
- **Immunity for warlike acts, but not for pre-capture criminal offenses or LOW violations**

DOD DETAINEE POLICY

- **Detainee Treatment Act of 2005**
- **DoDD 2310.01E (The DoD Detainee Program)**
- **Any person captured by U.S. forces will receive the *protections* afforded POWs by the GPW until a determination is made that he or she is not entitled to such *status***
- **Detainees not entitled to treatment as POWs will receive the minimum protections contained within Common Article 3 to the Geneva Conventions of 1949**

DETAINEE HANDLING

- **Upon Capture ✉ STRESS:**
  - **Search for weapons, identification, items of intelligence value or evidence of criminal misconduct**
  - **Tag with a DD Form 2745 or field expedient tag**
  - **Report to higher the number detained and coordinate transport to detainee collection point (DCP)**
  - **Evacuate to DCP as soon as possible**
  - **Segregate by rank; order to remain silent**
  - **Safeguard: provide medical treatment if required; protect from attack or harm**

DETAINEE INTERROGATION AND QUESTIONING

- **Only trained and certified interrogators may conduct interrogations**
- **Only techniques listed Army Field Manual (FM) 2-22.3 (Human Intelligence Collector Operations) are approved interrogation techniques**
- **Tactical questioning is the only type of questioning that non-trained, non-certified personnel may conduct with a detainee**

MEDICAL PERSONNEL, MEDICAL UNITS AND ESTABLISHMENTS; CHAPLAINS

- **Military medical personnel and chaplains are protected from intentional enemy attack, unless they commit acts harmful to the enemy that are not consistent with their authorized duties**
- **May be armed with light individual weapons for their personal defense or for the defense of their patients against criminal acts**
- **Should be issued an identification card with distinctive emblem to denote status.**
- **If captured they are retained personnel, not prisoners of war**

MEDICAL PERSONNEL, MEDICAL UNITS AND ESTABLISHMENTS; CHAPLAINS

- **Military medical units, fixed installations, and ground transports are entitled to respect and protection from intentional attack**
- **If used for acts inconsistent with humanitarian mission and protected status, or otherwise to engage in acts harmful to the enemy, it may lose its protected status**
- **Due warning must be provided by competent authority, and warning must have been disregarded before protected status is lost**

MEDICAL PERSONNEL, MEDICAL UNITS AND ESTABLISHMENTS; CHAPLAINS

- **Military medical transport clearly identified as such are entitled to respect and protection from intentional attack so long as they do not engage in acts harmful to the enemy**
- **All forms of medical transport are subject to search by opposing forces to ensure their compliance with the LOW**
- **Failure to comply with instructions to permit a search may result in the loss of protected status for the transport, rendering it subject to attack**

MEDICAL PERSONNEL, MEDICAL UNITS AND ESTABLISHMENTS; CHAPLAINS

- **To facilitate visual identification of medical and religious personnel, and medical units and transports, four distinctive emblems have been established and recognized.**
- **As displayed front left to right, they are 1) a red cross; 2) a red crescent; 3) a red crystal, a n (subsequ**

WOUNDED AND SICK IN FIELD AND SEA

- **1949 Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (GWS)**
- **1949 Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (GWS-Sea)**
- **Provide protection to military sick, wounded, and shipwrecked, to include military chaplains, military medical personnel, combatants and civilians authorized to accompany the armed forces in the field who are wounded, sick, or become shipwrecked**

WOUNDED AND SICK IN FIELD AND SEA

- **3 fundamental obligations:**
  - **Respect and protect wounded, sick, and shipwrecked military personnel**
  - **Recover, account for, and dispose of friendly and enemy dead with regard to, and in a manner that facilitates, the post-conflict return of their remains to their next-of-kin**
  - **Respect enemy military medical personnel, facilities, units, and transports in the performance of their duties**
- **Hors de combat or “out of the battle”**

WOUNDED AND SICK IN FIELD AND SEA

- **Military personnel who are *hors de combat***
  - **Their attack or intentional injury is strictly prohibited**
  - **Booby trapping of wounded or sick persons is also expressly prohibited**
  - **An attack on an individual with the knowledge that he or she is *hors de combat,* if it causes death or serious injury to that person, is a Grave Breach of the LOW**

WOUNDED AND SICK IN FIELD AND SEA

- **Recovery, Collection and Care**
  - **Parties to a conflict are obligated to take all possible measures to search for and collect military wounded, sick, and shipwrecked, to protect them, and to ensure their care**
  - **Order of treatment for U.S., allied, coalition, or captured enemy personnel must be based upon medical priority only (i.e., triage)**
  - **Obligation to recover enemy dead is similar to recovery of enemy wounded, sick, and shipwrecked (reasonableness)**

LOW TACTICS, STRATAGEMS & CONCEPTS

TREACHERY AND PERFIDY

- **Prohibited under LOW**
- **Deceptions intended to injure the enemy by relying on the enemy's adherence to the LOW**
  - **Misusing the LOW to gain a tactical advantage**
- **Types: Feigning and Misuse**
  - **Feigning is treachery resulting in killing, wounding or capturing the enemy**
  - **Misuse is an act of treachery resulting in some other advantage to the enemy**

TREACHERY AND PERFIDY

- **Examples**
  - **Feigning of intent to negotiate under a flag of truce, with the intent to then attack the opponent**
  - **Feigning surrender or noncombatant status (that is, civilian, wounded, sick, or dead) in order to gain an immediate tactical advantage over enemy forces**
  - **Feigning of protected status or other use of signs, emblems, or uniforms of a neutral or other nation not party to the conflict**
  - **Improper use of the distinctive emblems of the Geneva Conventions (e.g., red cross, red crescent, and red crystal)**
  - **Improper use of the “Blue Shield” protecting cultural property**

BOOBY-TRAPS

Prohibited

- **Protected emblems, sign or signals**
- **Sick, wounded, or dead persons**
- **Burial or cremation sites or graves**
- **Medical facilities, equipment, supplies or transport**
- **Children’s toys**

Prohibited

- **Food or drink**
- **Kitchen utensils or appliances**
- **Religious objects**
- **Historic monuments, art work, places of worship which constitute cultural spiritual heritage of people**
- **Animals or**

RUSES

- **Ruses of war are methods, resources, and techniques that can be used to either convey false information or deny information to opposing forces**
- **Ruses of war are acts which are intended to mislead an adversary and/or induce them to act recklessly**
- **Do not infringe upon any rule of international law applicable in armed conflict and**
- **Are not perfidious because they do not invite the confidence of an adversary with respect to protection under that law**

USE OF ENEMY UNIFORMS, COLORS, AND EQUIPMENT

- **Combatants may wear enemy uniforms but cannot fight in them with the intent to deceive**
- **National flags may be used as a ruse as long as they are not employed in actual combat**
- **Captured enemy equipment and supplies may be seized and used; however all enemy insignia must be removed in order to fight with equipment**

ASSASSINATION

- **Peacetime:**
  - **Offering reward for individual "dead or alive," or issuing an order to kill without giving that person an opportunity to surrender, is prohibited**
  - **Order from POTUS to "capture or kill" individual determined to be threat to national security permitted**
- **Wartime:**
  - **Combatant is legitimate target at all times and places; military, civilian, or political leaders who exercise operation command and control of enemy military are legitimate targets**
  - **"Capture or kill" missions are permitted**

ESPIONAGE

- **Employment of spies in war is not prohibited under LOW**
- **However, under domestic law, spying is a crime – often carrying severe punishments for those convicted**
- **Military personnel engaged in reconnaissance or direct action missions while in uniform are not spies, and are entitled to POW status if captured while on their mission**
- **If captured while not in uniform, military personnel are entitled to POW status, but may be prosecuted for spying**

REPRISALS

- **ONLY authorized by the President**
- **Otherwise illegal act done in response to a prior illegal act by the enemy for the purpose of getting the enemy to comply with LOW**
- **POWs , retained personnel, and any persons within our control cannot be objects of reprisals**

WEAPONS AND MUNITIONS

WEAPONS AND MUNITIONS GENERALLY

- **LOW prohibits weapons calculated to cause *superfluous injury* or *unnecessary suffering* in terms of the likely effect of the weapons on enemy combatants when balanced with military requirements**
- **U.S. Policy: The acquisition and procurement of DoD weapons and weapons systems shall be consistent with all applicable domestic and international laws, treaties, and international agreements**
- **Weapons and weapon systems are presumed lawful (i.e., consistent with the LOW and arms control obligations) if they have received the requisite legal review**

SMALL ARMS PROJECTILES

- **Full-Metal Jacketed Ammunition (e.g., 5.56x45mm, tracers, armor-piercing) is lawful**
- **Sniper Rifles, .50 caliber machine gun, and shotguns are lawful, but ROE may limit use**
- **U.S. practice is not to use hollow point or soft-point (expanding ammunition)**

MULTIPLE-FRAGMENTING MUNITIONS

- **Munitions that project a large number of projectiles on detonation (e.g., Claymores, Grenades, and Cluster Bombs)**
- **Their purpose is to increase the probability of wounding a number of enemy combatants within range of its fragments; it is not to aggravate the wounds of combatants**
- **Multiple-fragmenting munitions are lawful weapons under the law of war**

LANDMINES

- **Lawful if properly used**
- **Remotely delivered mines must be “smart” (self-deactivating, neutralizing, or destructing)**
- **“Dumb” (persistent) anti-personnel and anti-vehicle mines will no longer be used by the U.S.**
- **All mines be detectable using available technology (i.e., normal mine sweeping equipment)**
- **M-18 Claymore**

INCENDIARIES

- **Any weapon or munition which is primarily designed to set fire to objects or to cause burn injury to persons**
- **Lawful weapons under the LOW; however they should not be used in way to cause unnecessary suffering**
- **They can take the form of flame throwers, shells, rockets, grenades, mines, bombs, and other containers of incendiary substances**
- **Incendiaries are not chemical weapons**

CHEMICAL AND BIOLOGICAL WEAPONS

- **Prohibition on development, production, stockpiling, transfer, and use**
- **Retaliatory use (second use) is also prohibited**
- **U.S. does not consider Riot Control Agents (RCA) as chemical weapons**
  - **Use During International Armed Conflicts**
    - **Requires Presidential approval**
    - **Only be used in defensive military modes to save lives (e.g. controlling riots; dispersing civilians when enemy uses them to mask or screen attack; rescue missions; police actions in rear areas)**
  - **Operations Other than War**

LASERS AND DIRECT ENERGY WEAPONS

- **Two types**
  - **Prohibited – those designed primarily as an antipersonnel *weapon* intended to blind**
  - **Permitted – those designed primarily to increase combat capabilities (e.g., range-finding, target designation, jamming, dazzling, communications, or weapons guidance); authorized despite the potential for serious eye damage or blindness**

NON-LETHAL/LESS-LETHAL WEAPONS

- **Employed to discourage, delay, or prevent hostile actions, or limit escalation and take military action in situations where the use of lethal force is not the preferred action**
- **Lawful weapons under the LOW**
  - **Counter-Personnel Weapons: 12-guage, 40mm Non-Lethal Munitions and Grenades; Optical Devices; Tasers; and Directed Energy Weapon**
  - **Counter-Materiel Weapons: Vehicle Lightweight Arresting Device (VLAD) and Portable Vehicle Arresting Barriers (PVAB).**

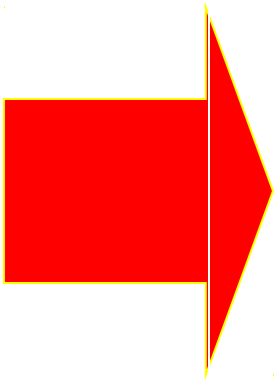
RULES OF ENGAGEMENT

RULES OF ENGAGEMENT

- **Standing Rules of Engagement for U.S. Forces, CJCSI 3121.01B**
- **Provides implementation guidance on the application of force for mission accomplishment and exercise of self-defense**
- **Establishes fundamental policies and procedures governing action to be take by U.S. commanders during all military operations and contingencies and routine Military Department Functions**

RULES OF ENGAGEMENT

- **Directives:**
  - **Issued by competent military authority**
  - **Explain when and under what circumstances Marines may use force**
  - **Explain how much force Marines may use in given situations**



- **ROE:**
  - **ROE are an operational issue**
  - **ROE are the Commander's Rules**
  - **ROE support the Commander's intent and operational concept**
  - **Judge Advocates *advise* on ROE; Commanders make the ultimate decisions**

RULES OF ENGAGEMENT: KEY CONCEPTS

- **Declared Hostile Forces – any civilian, paramilitary or military force or terrorist that has been declared hostile by appropriate U.S. authority**
- **Hostile Act – an attack or other use of force against the United States, U.S. forces or other designated persons or property; to include force used to directly preclude or impede the mission and/or duties of U.S. forces**
- **Hostile Intent – threat of imminent use of force against the United States, U.S. forces or other designated persons or property**
- **Positive Identification (PID) – reasonable**

RULES OF ENGAGEMENT

- **When to use force :**
  - **Mission Accomplishment**
    - **Declared Hostile Force**
    - **Lawful military objectives**
  - **Self Defense**
    - **Hostile Act**
    - **Hostile Intent**
- **Requirement of Distinction**
- **Positive Identification**

RULES OF ENGAGEMENT

- **Self-Defense Types:**
  - **Marines may exercise individual self-defense subject to the Commander's guidance**
  - **Unit commanders always retain the inherent right and obligation to exercise unit self-defense**
- **Elements of Self-Defense:**
  - **Necessity: Hostile Act/Hostile Intent, Mission**
  - **Proportionality: Nature, duration, scope**
  - **Distinction/Discrimination**

DISCUSSION SCENARIOS

SCENARIO #1

- **Charlie Company's AO is heavily infested with enemy guerillas. The company commander orders first platoon to secure a village. No instructions are given on taking POWs. The platoon encounters hostile fire and sustains two casualties. The enemy disappears among the villagers. The platoon commander orders all villagers be brought to central market and then orders his Marines to shoot all adult males because they are likely guerrilla fighters. Several Marines carry out the orders while the rest observe without objection. The platoon commander orders his Marines not to say anything about what happened and informs higher headquarters the ten persons shot were killed during the fighting.**

SCENARIO #2

- **Sergeant Smith has recently been assigned as a guard at an internment facility containing enemy prisoners of war. Within a short period of entering the confinement facility, Sergeant Smith observes the prisoners in the following conditions:**
  - **Two unguarded prisoners handcuffed to a pipe fixture above their head;**
  - **Three prisoners escorted naked along a corridor;**
  - **Marines taking personal pictures of themselves alongside handcuffed prisoners; and**
  - **A civilian contractor striking a handcuffed prisoner in a room off the main corridor.**

SCENARIO #3

- **You are a member of a five-vehicle convoy conducting route security operations during daylight hours.**
  - **A vehicle with four male occupants merges into your convoy. The vehicle does not fit the profile of a vehicle-borne IED (VBIED). They are mocking you. Your reaction?**
  - **The occupants continue to mock you, and you see weapons in the vehicle. Your reaction?**
  - **Two of the men point weapons at your driver. Your reaction?**

SCENARIO #4

- **Your patrol continues down a trail between rolling, lightly wooded hills. You halt your patrol as you see two males in traditional local clothing and apparently carrying AK-47s walking on a side path that runs parallel to your trail. They stop as they appear to spot you, turn off the path, and run away from the patrol into a shoulder-high crop off the side of the trail. You are concerned they could attempt to set a hasty ambush where their path crosses your trail.**

SCENARIO #5

- **Your squad is on a dismounted patrol in a fairly open area approaching a village. As you approach the first house, which has in front of it a Charlie Med HMMWV with a red cross on its side, you see a pickup truck with the civilian driver and single passenger as the only apparent occupants come over a low hill to your right. The truck approaches slowly when a third local national pops up out of the bed, points an AK-47 in your direction, empties a magazine in your direction, and throws**

SCENARIO #5 CONTINUED

- **As the truck speeds away back toward the hill to get away, which of the following are options for you under the ROE?**
  - **Target the shooter**
  - **Target the driver**
  - **Target the passenger**
  - **Take the HMMWV to catch the truck**

SCENARIO #6

- **You are moving with your unit near the outskirts of an Afghan city. You see a hospital that is flying the Red Crescent and notice that it is being used as an observation post (OP). When you get in better position to observe, you notice the occupants have binoculars, radios, AK-47s, and RPGs. They do not appear to observe your unit at this time.**
  - **What do you do?**
  - **Your unit begins receiving fire from the hospital. What do the ROE allow you to do?**

QUESTIONS